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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/821,456 | 10/09/2001 | Arthur Talley JR. | 0818.0104C | 7903 |

27896 7590 01/02/2003

EPSTEIN, EDELL, SHAPIRO, FINNAN & LYTLE, LLC
1901 RESEARCH BOULEVARD
SUITE 400
ROCKVILLE, MD 20850

EXAMINER

EDWARDS, NEWTON O

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

1774

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-10

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-104 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☐ Claim(s) _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☒ Claim(s) 1-104 are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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Lack Of Unity Election

This requirement is made in accordance with 37 CFR 1.499.

Group I: Claims 1-20, 21-29, and 32, directed to a first product and a first method.

Group II: Claims 30, 31, 33, and 34-47, directed to a second product.

If group II is elected by applicant, applicant is required to select a single disclosed species of claims 40 and 42 in accordance with PCT rule 13.3.

Group III: Claims 49-66, directed to a second method.

Group IV: Claims 67, 68, 100, directed to a third product.

Group V: Claims 69 and 70, directed to a fourth product.

If group V is elected, Applicant is required under PCT rule 13.3 to select a single disclosed species of claim 69.

Group VI: Claims 71-88, 102, 103, directed to a third method.

Group VII: Claims 89, 90, 91-99, directed to a fifth product.

If group VII is elected, applicant is required under PCT rule 13.3 to select a single disclosed species of claims 92 and 97.

Group VIII: Claim 101, directed to a fourth method.

Group IX: Claims 48 and 104, directed to a sixth product.


If multiple products and processes of manufacture are claimed, the first invention of the category first mention in the claims of the application and the first recited invention of each of the other categories related thereto will be considered as the main invention. 37 CFR 1.475 (d). ALL other groups are considered separate inventions.

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A telephone call was made to Patrick Finnan however no election was made.

Any inquiry concerning this communication should be directed to Newton Edwards at
telephone number 703-308-0767.

N. Edwards/mn
December 27, 2002


N. EDWARDS
PRIMARY EXAMINER